

REMARKS

Claim Rejections

Claims 1-12 are rejected under 35 U.S.C. § 112, first paragraph. Claims 3, 4, 7, 8, 10 and 12 are rejected under 35 U.S.C. § 112, second paragraph. Claims 1 and 5 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hamrick (US-6,373,145). Claim 3 is rejected under 35 U.S.C. § 102(b) as being anticipated by Gardner, Jr. (US-4,753,078). Claims 2, 4, 7 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamrick, Davis (US-4,134,469) and Taylor et al. (US-5,280,827). Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gardner, Jr. as applied to claim 3 above, and further in view of Davis. Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gardner, Jr. as applied to claim 3 above, and further in view of Hamrick. Claims 6, 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamrick, Davis, Taylor et al. and Gardner, Jr. as applied to claims 1, 2 and 3 above, and further in view of ordinary skill in the art.

Amendments to Specification

Applicant has amended the specification as noted above to cure obvious grammatical and idiomatic inaccuracies and to provide proper antecedent basis in the specification for a single type generator unit and a combination of generator unit types. No "new matter" has been added to the original disclosure by the foregoing amendments to the specification.

Abstract of the Disclosure

Applicant is submitting a substitute Abstract of the Disclosure for that originally filed with this application to more clearly describe the claimed invention. Entry of the substitute Abstract of the Disclosure is respectfully requested.

New Claims

By this Amendment, Applicant has canceled claims 1-12 and has added new claims 13-15 to this application. It is believed that the new claims specifically set forth Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims recite a generator system for use with a fossil fuel and electric powered vehicle having: a) a plurality of propeller generator units (1) connected on a roof and adjacent to front headlights of the vehicle, each of the propeller generator units having a propeller blade (11) and a generator (12), each propeller blade being connected to one generator such that a wind force produced as the vehicle moves will turn the propeller blades and the connected generators to produce electricity; b) a plurality of turbine generator units (2) connected in and protruding from an opening (R1) in a hood (R) and an opening (Q) in a chassis of the vehicle, each of the turbine generators having a turbine blade (211) and a turbine generator (21), each turbine blade being connected to one turbine generator such that the wind force produced as the vehicle moves will turn the turbine blades and the connected turbine generators to produce electricity; and c) a plurality of rolling wheel generator units (3) connected to a plurality of axles (D1) on an undercarriage of the vehicle, at least one of the plurality of rolling wheel generator units having a wheel (E), such that the movement of the vehicle will cause the plurality of axles to rotate and the plurality of axles will rotate the rolling wheel generator units to produce electricity.

In a further embodiment of the present invention, the rolling wheel generator units include four rolling wheel generator units each having a wheel. In another embodiment of the present invention, the plurality of generators are connected to a rectifier center.

It is submitted that the claimed subject matter is described in Applicant's specification in sufficient detail to enable one having ordinary skill in the art to make and use Applicant's invention without undue experimentation. As taught in the specification at pages 2-4, the invention is multiple generators for use with fossil fuel and electric powered vehicles, and the power produced by the generators will be used to supplement the electricity required by the systems of the vehicles such as electric motors and storage batteries. It is further noted that Applicant's invention claims the use of generators to produce supplemental power and not fossil fuel or electric powered vehicle engines. In the absence of any claims directed toward the fossil fuel and electric powered engines powering the vehicle, Applicant submits that the disclosure is not required to disclose driving device for the vehicle. It is believed that Applicant's specification discloses how to make and use the claimed invention.

The cited reference to Hamrick recites a RAM air electrical generator/charging system having a pair of electrical alternators (17), a pair of impellers (15), a pair of RAM air ducts (41). The RAM air ducts consist of a pair of inlet openings (43), a pair of restrictors (16), and a pair of outlet openings (45). The impellers are positioned within the restrictors and rotatably connected to the alternators.

The present invention is clearly distinguishable from Hamrick. Hamrick teaches impellers positioned within restrictors such that air flowing into the inlet openings from the front of the vehicle through the restrictors and discharged from the outlet openings on the hood of the vehicle create a force to turn the impellers and the alternators to produce electricity. Hamrick does not teach a plurality of propeller generator units connected on a roof adjacent to the front headlights of the vehicle. Further, as noted by the Examiner in the outstanding Office Action on page 11, item 11, Hamrick does not disclose a plurality of turbine generator units connected to and protruding from an opening in a hood and an opening in a chassis of the vehicle. Additionally, Hamrick does not teach the use of a plurality of rolling wheel generator units.

The cited reference to Gardner, Jr. recites an electrohydraulic vehicle drive system having alternators (5B and 5C) connected to the front and rear axles and wheels of a vehicle for generating electricity.

The present invention is clearly distinguishable from Gardner, Jr. Gardner, Jr. does not teach a plurality of propeller generator units connected on a roof and adjacent to the front headlights of the vehicle, or a plurality of turbine generator units connected in and protruding from an opening in a hood and an opening in a chassis of the vehicle. Further, Gardner, Jr. does not teach a plurality of rolling wheel generator units connected to a plurality of the axles on an undercarriage of the vehicle, at least one of the plurality of rolling wheel generator units having a wheel. Absence of the wheel was noted by the Examiner in item 14, on page 8 of the outstanding Office Action.

The cited reference to Davis recites a linear turbine and has a power panel (166) that includes turbine blades (200) that are connected at opposite ends to chains (184) and positioned along the hood of a vehicle by shafts (174, 176) that are connected to the chains to position the blades across the width of the vehicle. Davis does not teach a plurality of propeller generator units connected on a roof and adjacent the front headlights of the vehicle. Davis teaches a belt type turbine system wherein a plurality of blades are connected to and follow the path of a pair of chains, whereas in the present invention the plurality of propeller generator units and the plurality of turbine generator units have blades that spin. Further, Davis does not teach a plurality of rolling wheel generator units connected to a plurality of axles on an undercarriage of the vehicle, at least one of the plurality of rolling wheel generator units having a wheel.

The cited reference to Taylor et al. recites a venturi effect charging system for automobile batteries having a pair of elongated screw type turbines (40), helical impeller blades (42) that extend through lower venturi tubes (38). Turbines are turned by air entering the intake openings (30) at the front of the vehicle, which flows through the venturi tubes to turn the turbines and spin the generators (48).

Taylor et al. does not teach a plurality of propeller type generator units connected on a roof and adjacent to the front headlights of the vehicle, or a plurality of rolling wheel generator units connected to a plurality of axles on an undercarriage of the vehicle. Taylor et al. teaches a turbine contained in a venturi tube, whereas the present invention teaches a plurality of turbine generator units connected in and protruding from an opening in a hood and an opening in the chassis of the vehicle.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that neither Hamrick nor Gardner, Jr. disclose each and every feature of Applicant's new claims and, therefore, do not anticipate Applicant's claims under 35 U.S.C. § 102. Absent a specific showing of these features, neither Hamrick, nor Gardner, Jr. cannot be said to anticipate Applicant's new claims under 35 U.S.C. § 102.

Even if the teachings of Hamrick, Gardner, Jr., Davis, and Taylor et al. were combined, as suggested by the Examiner, the resultant combination does not suggest a plurality of propeller generator units connected on a roof and adjacent to the front headlights of the vehicle, the plurality of turbine generator units connected in and protruding from an opening in a hood and an opening in a chassis of the vehicle, a plurality of rolling wheel generator units connected to a plurality of axles on an undercarriage of the vehicle, at least one of the rolling wheel generator units having a wheel, or a combination of propeller generator units, turbine generator units, and rolling wheel generator units. Further, the combination of references does not teach the plurality of rolling wheel generator units having a wheel include four wheel generator units each having a wheel.

It is a basic principle of the United States Patent Laws that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of the applicant's disclosure to create a hypothetical or fictional combination which allegedly renders a claim obvious unless there is some direction in the selected prior art patents to combine the selected teachings in a matter to negate the patentability of the claimed subject matter. Clearly, there

is no suggestion in the prior art that their teachings could be combined as suggested by the Examiner.

The Courts have advocated that even if the prior art may be modified, the modification is not obvious unless the prior art suggests the desirability for the modification. For example, in *In re Fritch*, 922 F.2d 1260, 23 USPQ.2d 1780 (Fed. Cir. 1992), the Court held, at page 1783:

The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.

Neither Hamrick, Gardner, Jr., Davis, nor Taylor et al. specifically disclose, or suggest modifications of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious new claims 13-15.

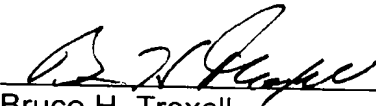
Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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